THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO GAVIT): (a) Yes, Sir.

(b)

	Name of the claimant	Date from which pension was drawn
1.	Shri E. Venkatarajam	16-06-2003
2.	Shri G. Rama Krishna Tagore	13-08-2003
3.	Shri Swarna Lakshmi Narayana	15-07-2003
4.	Shri Muva Koteswararao	15-01-2004

(c) No, Sir.

(d) Question does not arise.

(e) Government of Andhra Pradesh has reported that, so far, the District Collectors concerned have been requested to initiate criminal action against S/Shri E. Venkatarajam, G. Siva Rama Krishna Tagore and Swarna Lakshmi Narayana.

Inmates lodged in Tihar Jail for want of bail money

62. SHRI GIREESH KUMAR SANGHI:
SHRI SANTOSH BAGRODIA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have taken note of media reports that several inmates are still lodged in Tihar Jail despite being granted bail for want of money; and

(b) if so, what steps are being taken by Government to secure immediate release of such inmates from the prison?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY) : (a) Yes, Sir. Twenty undertrials, who were granted bail but could not fulfill even the relaxed surety conditions, are still lodged in Tihar Jails.

(b) The prison administration compiles a list of such inmates on monthly basis and sends it to the District and Sessions Judge/Chief Metropolitan Magistrate, as the case may be, for taking further necessary action in

terms of the directions contained in the judgement dated 21.2.2003 passed by the High Court of Delhi in Criminal Writ Petition No. 36 of 2002 titled Rotary Club District R.I. 3010 versus Government of NCT of Delhi.

Review of cases of detenues not involved in serious cases

63. SHRIMATI HEMA MALINI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government are considering to review the cases of all detenues and release those not involved in serious crimes;

(b) whether it is also a fact that one of the allies of Government has urged the Prime Minister to review the cases of detenues; and

(c) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY) : (a) to (c) The recently enacted Code of Criminal Procedure (Amendment) Act, 2005, *inter-alia*, provides a mandatory provision that if the arrested person is accused of a bailable offence and he is an indigent and cannot furnish surety, the Court shall release him on his execution of a bond without sureties. [Section 436(1)].

A new section 436A of the Code of Criminal Procedure, 1973 has been inserted in the Code to provide that where an undertrial prisoner, other than the one accused of an offence for which death has been prescribed as one of the punishments, has been under detention for a period extending to one-half of the maximum period of imprisonment provided for the alleged offence, he should be released on his personal bond, with or without sureties. It also provides that in no case will an undertrial prisoner be detained beyond the maximum period of imprisonment for which he can be convicted for the alleged offence.

It is for the State Government to take further action, if any, pursuant to the above amendments.